

400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: Intrprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER**

Fax

**RECEIVED
CENTRAL FAX CENTER
MAR 08 2004**

OFFICIAL

To:	Examiner F. Erdem Group Art Unit: 2826	From:	Leslie S. Szivos, Ph.D.
Fax:	703-872-9306	Pages:	7 including cover
Phone:		Date:	March 8, 2004
Re:	Victor W. C. Chan, et al. U.S. Patent Appln. No. 10/604,003 Our Docket: FIS920030105US1 (16462)	CC:	

XX Urgent For Review Please Comment Please Reply Please Recycle

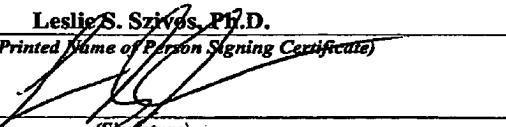
Dear Sir:

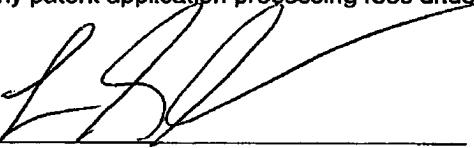
The following is attached hereto:

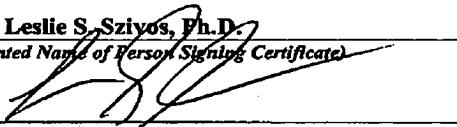
1. Amendment Transmittal in duplicate
2. Response under 37 CFR 1.111 and 1.143
3. Certificate of Facsimile

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Susan Formicola at Ext 511.

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			
Applicant(s): Victor W.C. Chan, et al.			
Serial No. 10/604,003	Filing Date 6/20/2003	Examiner F. Erdem	Group Art Unit 2826
Invention: SUBSTRATE ENGINEERING FOR OPTIMUM CMOS DEVICE PERFORMANCE			
<p>I hereby certify that this <u>RESPONSE UNDER 1.111 AND 1.143</u> <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u></p> <p>on <u>March 8, 2004</u> <i>(Date)</i></p> <p style="text-align: center;"><u>Leslie S. Szivas, Ph.D.</u> <i>(Typed or Printed Name of Person Signing Certificate)</i></p> <p style="text-align: center;"> <i>(Signature)</i></p>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Victor W.C. Chan, et al.				Docket No. FIS920030105US1 (16462)	
Serial No. 10/604,003	Filing Date 6/20/2003	Examiner F. Erdem		Group Art Unit 2826	
Invention: SUBSTRATE ENGINEERING FOR OPTIMUM CMOS DEVICE PERFORMANCE					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	17 -	20 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<p> <input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0458/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. </p> <p style="text-align: center;">  <i>Signature</i> </p> <p style="text-align: center;">Dated: March 8, 2004</p> <p> Leslie S. Szivos, Ph.D. Registration No. 39,394 </p> <p> Customer No. 23389 </p> <p>CC:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="text-align: center;"> I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. </p> <p style="text-align: center;"> Signature of Person Mailing Correspondence </p> <p style="text-align: center;"> Typed or Printed Name of Person Mailing Correspondence </p> </div>					

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)				Docket No.
Applicant(s): Victor W.C. Chan, et al.				FIS920030105US1 (16462)
Serial No. 10/604,003	Filing Date 6/20/2003	Examiner F. Erdem	Group Art Unit 2826	
Invention: SUBSTRATE ENGINEERING FOR OPTIMUM CMOS DEVICE PERFORMANCE				
<p>I hereby certify that this <u>RESPONSE UNDER 1.111 AND 1.143</u> <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u></p> <p>on <u>March 8, 2004</u> <i>(Date)</i></p> <p><u>Leslie S. Szivos, Ph.D.</u> <i>(Typed or Printed Name of Person Signing Certificate)</i></p> <p> <i>(Signature)</i></p>				
<p>Note: Each paper must have its own certificate of mailing.</p>				

AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Victor W.C. Chan, et al.				Docket No. FIS920030105US1 (16462)	
Serial No. 10/604,003	Filing Date 6/20/2003	Examiner F. Erdem		Group Art Unit 2826	
Invention: SUBSTRATE ENGINEERING FOR OPTIMUM CMOS DEVICE PERFORMANCE					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	17 -	20 =	0 x	\$18.00	
INDEP. CLAIMS	2 -	3 =	0 x	\$84.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<p> <input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. in the amount of <input type="checkbox"/> A check in the amount of to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0458/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. </p>					
 <i>Signature</i>					
Dated: March 8, 2004					
<p> <input type="checkbox"/> I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. </p>					
<i>Signature of Person Mailing Correspondence</i>					
<i>Typed or Printed Name of Person Mailing Correspondence</i>					

MAR 08 2004

OFFICIAL**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant(s):** Victor W.C. Chan, et al.**Examiner:** F. Erdem**Serial No:** 10/604,003**Art Unit:** 2826**Filed:** June 20, 2003**Docket:** FIS920030105US1 (16462)**For:** SUBSTRATE ENGINEERING FOR
OPTIMUM CMOS DEVICE PERFORMANCE**Dated:** March 8, 2004Commissioner for Patents
United States Patent Office
Alexandria, VA 23313-1450**RESPONSE UNDER 37 C.F.R. §§1.111 AND 1.143**

Sir:

In response to the Office Action dated February 19, 2004, applicants provisionally elect, without traverse, the subject matter of Group II, i.e., Claims 11-17, for continued prosecution in the above-identified patent application.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: March 8, 2004


Leslie S. Szivos, Ph.D.

REMARKS

Favorable consideration and allowance of the claims of the present application are respectfully requested.

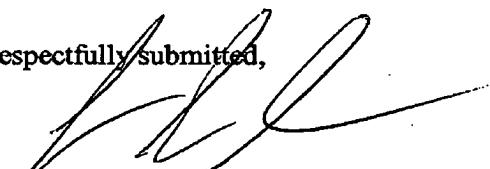
In the present Official Action, Claims 1-17 which are present in the above-captioned application have been subjected to a restriction under 35 U.S.C. §121 as follows:

- I. Claims 1-10, drawn to a method of making a semiconductor device, classified in Class 438, subclass 198; and
- II. Claims 11-17, drawn to a semiconductor device, classified in Class 257, subclass 627.

As indicated, and in order to be fully responsive to the restriction requirement imposed in the present Official Action, applicants provisionally elect, without traverse, to prosecute the subject matter of Group II, i.e., Claims 11-17, and reserve the right to file one or more divisional applications directed to the non-elected subject matter in this application, i.e., Claims 1-10.

Wherefore, consideration and allowance of the claims of the present application are respectfully requested.

Respectfully submitted,



Leslie S. Szivos, Ph.D.
Registration No. 39,394

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

LSS/sf